

Colonel Tackett currently serves as the Adjutant General, West Virginia National Guard, headquartered in Charleston. Prior to this, he held many demanding and key positions, before assuming his prestigious command of nearly six thousand men and women serving in the West Virginia National Guard.

At present, Colonel Tackett has over 32 years of dedicated service in the National Guard, to our country and the State of West Virginia. He earned a commission in June, 1967, from Infantry Officer Candidate School, at Fort Benning, Georgia. Colonel Tackett is a military graduate of the Special Warfare Center, Jumpmaster Course, Infantry Officer Basic and Advanced Courses, Command and General Staff College, and the Special Warfare Center, Techniques of Special Operations.

Colonel Tackett's major decorations include the Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, National Defense Medal, Humanitarian Medal and the Armed Forces Reserve Medal. He was awarded, through rigorous training and proven proficiency, the coveted Special Forces Tab and Master Parachutist Badge.

Mr. President, I am pleased to cast my vote for the confirmation of Colonel Allen E. Tackett as Brigadier General, and I urge my colleagues to support this nomination.

NOMINATION OF COLONEL JOHN E. BARNETTE

Mr. BYRD. Mr. President, I am pleased that the President has nominated Colonel John E. Barnette for the rank of Brigadier General. Colonel Barnette, a native of Princeton, West Virginia, earned an undergraduate degree from West Virginia State College, a master's degree from West Virginia College of Graduate Studies, and a Doctoral degree from West Virginia University.

Colonel Barnette has held many responsible positions within the West Virginia Army National Guard since he was commissioned in July, 1969, from Officer Candidate School, West Virginia Military Academy. Most recently, he has been assigned as the Assistant Adjutant General (Army) of the West Virginia National Guard, headquartered in Charleston.

Prior to his current assignment, Colonel Barnette served as the West Virginia Deputy State Area Commander, West Virginia Army National Guard.

Colonel Barnette has over 28 years of dedicated service in the National Guard. He is a graduate of the Armored Officer's Basic and Advanced Courses and the Command and General Staff College. Colonel Barnette's major decorations include the Meritorious Service Medal, Army Commendation Medal, National Defense Service Medal, Army Reserve Component Achievement Medal and the Humanitarian Service Medal.

Mr. President, I am pleased to cast my vote for the confirmation of Colo-

nel John E. Barnette as Brigadier General, and I urge my colleagues to support this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

CROW CREEK SIOUX TRIBE INFRASTRUCTURE DEVELOPMENT TRUST FUND ACT OF 1996

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 587, H.R. 2512.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2512) to provide for certain benefits of the Pick-Sloan Missouri River basin program to the Crow Creek Sioux Tribe, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

H.R. 2512

Mr. MCCAIN. Mr. President, I am pleased to rise in support of H.R. 2512, the Crow Creek Sioux Tribe Infrastructure Development Trust Fund Act of 1996. This bill provides for the long-delayed fulfillment of promises made by Congress to the Crow Creek Sioux Tribe of South Dakota. These promises were for compensation for the impacts on the Tribe that resulted from the inundation of more than 15,000 acres of the best land on the Crow Creek reservation, including the relocation of Fort Thompson, the principal community on the reservation. The inundation was caused by the construction of Fort Randall and Big Bend dams on the Missouri River pursuant to the Flood Control Act of 1944, otherwise known as the Missouri River Basin Pick-Sloan Project.

H.R. 2512 provides for creation of a trust fund in the United States Treasury for the benefit of the Crow Creek Sioux Tribe that would be funded with \$27,500,000 from receipts of deposits from the Pick-Sloan power program of the Western Area Power Administration. Only the interest on the fund would be made available to the Tribe, without fiscal year limitations, to spend on implementing a plan for socioeconomic recovery and cultural preservation. This plan will include a variety of infrastructure and related projects that Congress in 1962 directed the Interior Department and the United States Corps of Engineers to provide to the Tribe, but which were either inadequately provided or not provided at all. Among these projects is a high school, a water system, and a community center with a gymnasium and auditorium.

The Committee on Indian Affairs and the House Resources Committee conducted a joint hearing on H.R. 2512 and on a Senate companion bill, S. 1264. The record of that hearing includes extensive historical information on the Big Bend and Fort Randall dam projects, the commitments made by the United States to the Crow Creek Tribe for compensation with respect to these projects, and the extent to which those commitments were not fulfilled. The record is clear that the additional compensation that would be provided by H.R. 2512 is not only well-justified but also long overdue.

It should be noted that the Crow Creek trust fund that would be provided by this legislation is proportionate to trust funds established by Congress in 1992 for the Standing Rock Sioux and Fort Berthold Tribes. The 1992 Standing Rock and Fort Berthold legislation was enacted based on the findings and recommendations of a congressionally mandated joint tribal-Federal task force. This task force studied the impacts of the construction of Oahe and Garrison dams on the Standing Rock and Fort Berthold Reservations, including the inundation of a combined total of more than 200,000 acres of the best lands on those reservations.

Mr. President, the construction of huge, multipurpose dam projects by the Corps of Engineers and the Bureau of Reclamation earlier in this century brought major economic and other benefits to large numbers of people and interests in various parts of the United States. However, these benefits often came at a very high price to others. In the case of the dam projects authorized under the Pick-Sloan Project, the greatest price was paid by Indian tribes whose reservations lie along the Missouri River in North and South Dakota. These tribes saw much of their best farm land flooded, long-established communities relocated, families disrupted, and a way of life changed forever. The human price they paid is beyond calculation.

Regrettably, the conduct of the agencies of the United States government, including the Congress, with respect to the Indian tribes affected by Pick-Sloan Project construction often did not live up to the fair and honorable dealings standard that the tribes had a right and reason to expect from the United States as their trustee. In light of the well-documented history of this conduct with respect to the Crow Creek Sioux Tribe, I believe that enacting H.R. 2512 is a fair and honorable course for this Congress to take.

Mr. President, this legislation is supported by the State of South Dakota, its congressional delegation, and the Administration, in addition to the Crow Creek Sioux Tribe. The House recently passed H.R. 2512 by voice vote, and the Committee on Indian Affairs has favorably reported companion legislation to the Senate. Accordingly, I strongly urge the Senate to pass H.R.

2512 and send it to the President for signature.

Mr. DASCHLE. Mr. President, I am very pleased that the Senate is considering the Crow Creek Sioux Tribe Infrastructure Development Trust Fund Act of 1995. This measure, which is sponsored by Congressman TIM JOHNSON, is very important to South Dakota and the Crow Creek Tribe. I commend the Senate Indian Affairs Committee for its leadership in promoting the bill's companion measure, S. 1264, which I introduced. I also want to publicly thank the members of the Crow Creek Tribe for their many years of hard work. The tribe has worked closely with Congressman JOHNSON and I to shape this legislation that will help realize, at long last, the goals outlined in the Big Bend Act over 30 years ago.

This bill will provide for the development of certain tribal infrastructure projects funded by a trust fund set up for the Crow Creek Tribe within the Department of the Treasury. The trust fund would be capitalized within 1 to 2 years from a percentage of hydropower revenues and would be capped at \$27.5 million. The tribe would then receive the interest from the fund and use it for economic development purposes according to a plan prepared in conjunction with the Bureau of Indian Affairs and the Indian Health Service.

It is instructive to review the long historic journey that has brought us to this point. The Flood Control Act of 1944 created five massive earthen dams on the Missouri River. This public works project, known as the Pick-Sloan Plan, provides the region with flood control, irrigation and hydropower. Four of the Pick-Sloan dams are located in South Dakota.

The impact of the Pick-Sloan plan on the Crow Creek Sioux Tribe has been devastating. The Big Bend and Fort Randall dams created losses to the Crow Creek Tribe for which they have not been adequately compensated. Over 15,000 acres of the tribe's most fertile and productive land, the Missouri River wooded bottomlands, were inundated as a result of the Fort Randall and Big Bend components of the Pick-Sloan project.

By and through the Big Bend Act of 1962, Congress directed the U.S. Army Corps of Engineers and the Department of the Interior to take certain actions to alleviate the problems caused by the dislocation of communities and inundation of tribal resources. These directives were either carried out inadequately or not carried out at all.

Congress established precedent for H.R. 2512 in 1992 with the passage of the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act, which I cosponsored. At that time, Congress determined that the U.S. Army Corps of Engineers had failed to provide adequate compensation to the tribes when their land was acquired for the Pick-Sloan projects. There is little question that the tribes bore an inordinate share of the cost of

implementing the Pick-Sloan program. The Secretary of the Interior established the Joint Tribal Advisory Committee to resolve the inequities and find ways to finance the compensation of tribal claims. As a result, the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act set up a recovery fund financed entirely from a percentage of Pick-Sloan power revenues.

The Crow Creek Sioux Tribe Infrastructure Development Fund Act of 1995 is the next step in honoring commitments made when the Pick-Sloan dams were constructed in a fiscally sound manner while giving local entities the latitude to determine their own development priorities. This legislation not only benefits the tribe, but the entire State of South Dakota, since a sound infrastructure is essential to regional economic development.

This legislation has broad support in South Dakota. Gov. Bill Janklow strongly endorses this proposal to develop the infrastructure at the Crow Creek Indian reservation.

Mr. President, the impact of the Pick-Sloan projects have been devastating to other Missouri River tribes as well. I look forward to working with the Lower Brule Sioux Tribe and the Cheyenne River Sioux Tribe to address their claims.

Mr. STEVENS. Mr. President, I ask unanimous consent the bill be deemed read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2512) was deemed read a third time and passed.

UTAH SCHOOLS AND LANDS IMPROVEMENT ACT AMENDMENTS

Mr. STEVENS. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 558, H.R. 2464.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2464) to amend Public Law 103-93 to provide additional land within the State of Utah for the Indian reservation and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McCAIN. Mr. President, I am pleased to rise in support of H.R. 2464, a bill to amend Public Law 103-93 to add certain State and Federal lands to the Goshute Indian Reservation in Utah.

Public Law 103-93 authorizes the Secretary of the Interior to acquire about 200,000 acres of Utah school trust land located within the boundaries of national parks, forests, and Indian reservations in Utah. In exchange, the

school trust will receive other Federal land and mineral rights of equal value.

H.R. 2464 amends the 1993 act to make an additional 7,000 acres of State land eligible for exchange for Federal lands or interests of equal value and their addition in trust to the Goshute Reservation. The bill also provides for about 1,280 acres of Federal land and mineral interests to be added to the reservation.

The addition of these lands to the Goshute Reservation will provide a more clearly defined and manageable reservation boundary. This will greatly improve the tribe's ability to deal with poaching, trespassing, and other problems along the reservation boundary.

Enactment of the legislation will also further assist the State of Utah and the Federal Government in consolidating their respective landholdings and thus contribute to more effective, environmentally responsible land management.

The Committee on Indian Affairs held a hearing on H.R. 2464 in July of this year. Hearing testimony established that the bill is without controversy and clearly in the beneficial interest of the Goshute Tribe, the State of Utah, and the United States. The Congressional Budget Office subsequently reported that enactment of the bill would have no significant impact on the Federal budget, nor would it affect direct spending or receipts.

I commend Utah's Senators ORRIN HATCH and ROBERT BENNETT for their cooperative efforts with the tribe, the State, and the administration that led to development of H.R. 2464 and its Senate counterpart, S. 1766.

Mr. President, H.R. 2464 is meritorious legislation, and I urge its passage by the Senate.

Mr. HATCH. Mr. President, I am delighted the Senate has scheduled consideration of H.R. 2464.

This legislation amends the Utah Schools and Lands Improvement Act of 1993 (Public Law 103-93) which provides a vehicle by which school trust lands located within Federal reservations in Utah—such as national parks, national forests, wilderness, and Indian reservations—could be exchanged for lands located elsewhere in Utah.

The act helps to ensure that Utah's schools receive the full and intended benefit of the trust lands by resolving Federal and State land management problems resulting from interspersed land ownership within Utah.

H.R. 2464 would amend the 1993 act to provide for the exchange of approximately 8,000 acres of additional State land, located within the Goshute Reservation boundaries, for Federal lands, or interests, of equal value.

The Goshute Tribe's reservation is located in a remote valley southwest of the Great Salt Lake and astride the border between Utah and Nevada with approximately half of the reservation within each State.

This bill will resolve a long standing problem associated with the southern